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10/749,440	12/31/2003	Gregory Joseph Badros	24207-10067	8962

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/749,440

Applicant(s)

BADROS ET AL.

Examiner

Etienne P. LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11/21/2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4, 7-11, 14-32, 35-39 and 42-65 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4, 7-11, 14-32, 35-39 and 42-65 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 31 December 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/21/2007.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

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Claim Status

Claims 1-4, 7-11, 14-32, 35-39 and 42-65 are pending, claims 5, 6, 12, 13, 33, 34 40 and 41 have been cancelled. Claims 1-4, 7-11, 14-32, 35-39 and 42-65 are rejected as detailed below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 7, 8, 10, 11, 14-26, 28, 29, 31, 32, 35, 36, 38, 39, 42-52, 54, 55, 57 and 59-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub No US 2002/0057297 (Grimes et al), hereafter Grimes in view of Pub No US 2002/0054116 (Pavley et al), hereafter Pavley.

Claims 1, 11, 15, 16, 28, 29, 39, 43, 44, 54, 55, 57, 59 and 62-65:

Grimes discloses:

receiving an interest signal indicating an interest in a hyperlink included in a first document, the hyperlink referencing a second document

[first document = program nugget 74, Fig 4, para. 37, second document = corresponding program, para. 36, hyperlink = thumbnail 88, Fig 4, link to thumbnail display, para. 36]

generating a request for online provided information about a second document

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[user chooses to examine or view personal content, para. 37]

wherein the information comprises a content snippet of the second document

[the thumbnail 88 may be a single still screen shot from a program, para. 39]

causing the information to be output in association with the first document

[paragraph 50, pop-up or drop-down window]

Grimes discloses the elements of the claimed invention as noted above but does not disclose wherein the content snippet comprises a portion of text found in the second document. However, Grimes discloses thumbnail 88 (content snippet) is usually a video or audio clip of the program (second document) [para. 39]. Furthermore, Pavley discloses a text clip [abstract]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Grimes to include a text clip as taught by Pavley for the purpose of covering a media object that includes text [Pavley, abstract]

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above but does not disclose third party provided information. Third party provided information such as a TV Guide is well-known and expected in the art. One of ordinary skill in the art at the time the invention was made would have considered it obvious to try to modify the invention of Grimes to include third party provided information such as a broadcast or network program guide because expected results are extremely well-known in the art. Consulting third party provided information about the content and scheduling of multimedia programming provided by an ISP (internet service provider) is done many times each and every day by users who wish to view a particular multimedia program.

Claims 3 and 31:

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The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses user-related information [paragraph 36]

Claims 4 and 32:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses user-related information comprises query-related information [Fig 5].

Claims 7, 8, 35 and 36:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses wherein the third-party past-user information comprises a user-supplied rating of the second document [paragraph 36]

Claims 10 and 38:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses genre [paragraph 36]

Claims 14 and 42:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses a query corresponding to the second document [paragraph 50, double-clicked with the cursor or otherwise launched]

Claim 17:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses wherein the interest signal comprises an indication of a pointing device hovering over the hyperlink [paragraph 50]

Claims 18, 22 and 48:

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The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses wherein the interest signal comprises an indication of a right-click of a pointing device on the hyperlink [paragraph 50].

Claims 19-21, 23-25, 45-47 and 49-51:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses wherein output in association with the first document comprises displaying the third-party-provided information in an overlay [paragraph 50]

Claims 26 and 52:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses audible outputting the third-party provided information [paragraph 27]

Claim 60:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above but does not disclose wherein the third-part provided information provides an indication of disruptiveness or liveness of the second document by comparing a previously available version of the second document with a current version of the second document. Official Notice is taken that comparing a previously available version of the second document with a current version of the second document is well-known and expected in the art.

Claim 61:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses music [paragraph 39].

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Claim 62, 63, 64, 65:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above and furthermore, Grimes discloses wherein the content snippet comprises a portion of text found in the second document sufficient to approximate usefulness of all content in the second document [Pavley, abstract, representation of a media object on the screen allows user to select media object]

Claims 9 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Grimes and Pavley as applied to claims 8 and 35 in view of Pat No 6,983,273 (Banerjee et al), hereafter Banerjee.

Claim 9 and 37:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above but does not disclose wherein the past-user information comprises at least one of: a period of linger time, a quantity of repeat visits, a quantity of repeat queries, and a quantity of click-throughs. Bannerjee discloses wherein the past-user information comprises at least one of: a period of linger time, a quantity of repeat visits, a quantity of repeat queries, and a quantity of click-throughs [Banerjee: col 7, line 46]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include the above limitations as taught by Bannerjee for the purpose of assessing the popularity of the website.

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Claims 27 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Grimes and Pavley as applied to claims 1 and 29 in view of US Pat No 6,707,443 Bruneau et al), hereafter Bruneau.

Claim 27 and 53:

The combination of Grimes and Pavley discloses the elements of the claimed invention as noted above but does not disclose a haptic device. Bruneau discloses a haptic device [Fig 5]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include above limitation as taught by Bruneau for the purpose of indicating the importance of a document.

Claims 2, 30, 56 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Grimes and Pavley as applied to claims 1, 29, 55 and 57 in view of Pub No US 2005/0044224 issued to Jun et al (hereafter Jun).

Claims 2, 30, 56 and 58:

The combination of Grimes and Hosea discloses the elements of claim 1 as noted above but does not disclose logging the interest signal. Jun discloses logging the interest signal [paragraph 256]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include logging the interest signal based on the disclosure of Jun for the purpose of maintaining a record of a user's visit to the website.

Response to Arguments

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Applicant's arguments filed 11/21/2007 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Etienne LeRoux

1/9/2008


ETIENNE LEROUX
PRIMARY EXAMINER